THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.16122 OF 2005

25-07-2005

Between:

A.Manohar Reddy

... PETITONER

AND

The Land Acquisition Officer & Revenue Divisional Officer, Mahabubnagar Division, at Mahabubnagar District.

.....RESPONDENT

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

Writ Petition No.16122 of 2005

ORDER:

This writ petition is filed seeking a direction to the respondent to re-submit the reference papers pertaining to the Award dated 15.09.1986 in pursuance of the reference dated 02.09.1987 or in alternative, to file fresh papers referring the matter to the Civil Court under Section 18 of the Land Acquisition Act, 1894 (for short 'the Act').

It is stated in the affidavit filed in support of the writ petition that by notification dated 09.02.1984 published in A.P.Gazette, the Government acquired Ac.0.99 cents of land in Survey No.201/1-A situated at Farooqnagar village and Mandal (Shadnagar Tq), Mahabubnagar District for the purpose of extending Bus Depot at Shadnagar and accordingly an award was passed for a sum of Rs.40,463.30 ps in File No.F/4878/83 dated 15.09.1986 assessing

the market value for the land at the rate of Rs.24,000/- per acre, without intimation to the petitioner. According to the petitioner, the value of the said land was Rs.300/- per sq.yard at the time of acquisition. Hence, objecting the said Award, he made an application to the respondent to refer the matter to the Civil Court under Section 18 of the Act and accordingly the respondent referred the matter to the Court of the Senior Civil Judge at Mahabubnagar. However, the Senior Civil Judge Court returned the reference on certain objections to be complied with in the year 1988 itself. Thereafter, the respondent has not re-submitted the reference papers complying with the objections so far. Hence, the present writ petition seeking appropriate direction in this regard.

Heard both sides and considered the material on record.

Admittedly, the respondent has not re-submitted the papers to the Senior Civil Judge Court at Mahabubnagar even after a lapse of sixteen years. Hence, the respondent is directed to re-submit the reference papers to the Senior Civil Judge Court at Mahabubnagar complying with the objections, within a period of eight weeks from the date of receipt of a copy of this order, for its consideration and for passing appropriate orders in accordance with law.

The writ petition is accordingly disposed of. No costs.

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25.07.2005

VGB